



PROGRESS REPORT NO. 34

TO: Helen Bottcher – U.S. Environmental Protection Agency (EPA) - via Email
FROM: Marko Adzic – Teck American Incorporated (Teck)
CC: David Godlewski – Teck (via Email)
DATE: May 13, 2009 **FILE NO:** 1-773180-000
RE: Upper Columbia River (UCR) Remedial Investigation/Feasibility Study
(RI/FS) - Progress Report No. 34 Month Ending April 2009

Pursuant to Paragraph 39 of the June 2, 2006 Settlement Agreement (Agreement), the following is intended to provide a summary of the activities completed during the past month in compliance with the aforementioned Agreement. It is also intended to provide a brief summary of pending and on-going activities.

During the month of April the draft Baseline Ecological Risk Assessment (BERA) work plan was submitted for review and comment. In preparation for this year's beach sediment sampling program a detailed field sampling schedule (i.e., above and beyond that noted within the April 9, 2009 letter) will be submitted to EPA in the very near future. It is anticipated that this detailed schedule will facilitate EPA with the planning and coordination of on-site cultural resource observers. Based on an April 30th telephone conversation with Randy Abrahamson of the Spokane Tribe of Indians, it was confirmed that his March 23rd letter to Teck was in fact the ground disturbance permit¹. At the time of writing, Teck has yet to receive similar permits from the Confederated Tribes of the Colville Reservation (CCT) and the National Park Service (NPS). Teck will continue to cooperatively work with both, the CCT and NPS, in providing additional requested information and materials such that the necessary permits are made available prior to beach sediment sampling activities.

A summary of activities (e.g., deliverables) completed to date, and those anticipated within in the near future, are presented within Table 1 below.

¹ A copy of the March 23rd letter was electronically mailed to Monica Tonel of the EPA on March 24, 2009 @ 8:36 AM Pacific Time.

Table 1. Upper Columbia River Remedial Investigation/Feasibility Study Summary of On-Going and Planned Activities

Task No.	Task Description	Status ¹	Issues	Estimated Completion Date ²
1.	2005 Field Data Transfer	Complete	None to report at this time	<u>July 31, 2006</u>
2.	Technical Memorandum ³	Complete	None to report at this time	<u>October 27, 2006</u>
3.	Draft RI/FS Work Plan	Draft submitted	None to report at this time	<u>December 28, 2006</u>
4.	Sampling and Analysis Plan (SAP) ⁴	Draft submitted	None to report at this time	<u>February 26, 2007</u>
5.	Health and Safety Plan	Complete	None to report at this time EPA does not approve Health and Safety Plans	<u>February 26, 2007</u>
6.	Cultural Resources Coordination Plan ⁵	Draft submitted	None to report at this time	<u>February 26, 2007</u>
7.	Revised RMAO Memorandum ⁶	Complete	None to report at this time	<u>March 11, 2007</u>
8.	Additional Trail Data	Complete	None to report at this time	<u>May 6, 2007</u> ⁷
9.	April Workshop Summary	Complete	None to report at this time	<u>July 12, 2007</u>
10.	Revised RI/FS Work Plan ⁸	Complete ⁹	None to report at this time	<u>September 21, 2007</u>
11.	Screening Level ERA	Interim Draft submitted	None to report at this time	<u>March 11, 2008</u>
11.	SLERA	Draft submitted (Step 5)	None to report at this time	<u>December 5, 2008</u>
12.	White Sturgeon Surface Water Toxicity SAP ¹⁰	Complete	None to report at this time	<u>May 26, 2008</u>
13.	Surface Water SAP	Draft submitted (Step 5) ¹¹	None to report at this time	<u>July 18, 2008</u>
14.	Fish Tissue SAP	Draft submitted (Step 5) ¹¹	None to report at this time	<u>July 18, 2008</u>
15.	Phase 2 Beach SAP	Comments Received (Step 10)	None to report at this time	<u>August 1, 2008</u>
16.	BERA Work Plan	Draft submitted	None to report at this time	<u>April 30, 2009</u>
17.	Phase 2 Beach SAP (includes Cultural Resources Coordination Plan)	Approved; Complete (Step 15)	None to report at this time	<u>February 26, 2009</u> ¹²

Table continues

Task No.	Task Description	Status ¹	Issues	Estimated Completion Date ²
18.	White Sturgeon Toxicity Testing SAP	<i>Step 1 Completed</i> ¹³ .	Likely insufficient time to complete work in 2009 ¹³ .	TBD

- Notes:
1. In July 2008 EPA in association with the participating parties developed a UCR-specific 15-step process flow outline to review technical deliverables. In recognition of the aforementioned review process, 'Steps' as laid-out and defined on July 9, 2008 are employed herein.
 2. Dates that have been underlined represent the actual day the respective deliverable was submitted to EPA as per Paragraph 80 of the Agreement.
 3. As outlined within the Agreement, the technical memorandum outlines and described the Risk-Based Remedial Objectives for the Ecological Risk Assessment. Remedial objectives for the protection of human health will be prepared by EPA and submitted under separate cover at a later date.
 4. The *2007 Sediment Investigation of Beaches and Depositional Areas* sampling and analysis plan submitted under Paragraph 13 of the Agreement was disapproved in a letter dated June 20, 2008 (received on June 24, 2008) with revisions due no later than August 25, 2008. The revised document was submitted ahead of schedule on August 1, 2008.
 5. Further to EPA's September 19, 2007 letter informing Teck that the February 2007 cultural resource coordination plan (the plan) would require revisions. EPA disapproved the plan and in a letter dated July 3, 2008 (received on July 7, 2008), requested that a revised plan be submitted with each quality assurance project plan. A revised plan was submitted with the 2008/2009 Surface Water Study (Item No. 13), the 2008 Fish Tissue Study (Item No. 14), and the 2008/2009 Beach Sediment Study (Item No. 15). Comments on the plan (as attached and included as part of Item No. 15) were received on February 2, 2009.
 6. The draft technical memorandum on risk-based management action objectives (RMAOs) was revised per EPA's January 16, 2007 comments.
 7. Following a request outlined by EPA in a letter dated February 1, 2007 (received on February 5, 2007) Teck has compiled additional information on the Trail Facility so as to assist in the identification of chemicals of interest (COIs) as outlined within Paragraph 24 of the Agreement. An electronic version of the deliverable was forwarded to EPA on May 6, 2007 with hard copies delivered shortly thereafter. In addition, a second deliverable identified as "*Business Confidential*" information was submitted to EPA legal counsel under separate cover on May 7, 2007 by Pillsbury Winthrop Shaw Pittman (i.e., Teck legal counsel) on behalf of Teck.
 8. An electronic copy of the draft RI/FS work plan has been provided to facilitate modifications of the document by EPA. It is anticipated that both EPA and Teck will be in a position to finalize this document in the near future.
 9. On December 31, 2008 the RI/FS work plan, as modified by EPA, was approved.
 10. As noted during the March 2008 technical workshop, the draft SAP is for work being conducted in Canada and will be provided to EPA for informational purposes. Results of the study will be treated in a similar matter as other peer reviewed papers. Preliminary results will be presented at the 2008 Annual Society of Environmental Toxicology and Chemistry (SETAC).
 11. A draft 2008 Plankton Study was appended to the draft study plan.
 12. Following receipt of the approval letter on March 5, 2005 (facsimile) the approved document was distributed per the document distribution list on March 13, 2009.
 13. Unfortunately, due to the time-sensitive nature on the availability of sturgeon larvae, it is unlikely that work within the United States can occur in 2009. As was completed in 2008 however, Teck will undertake additional toxicity testing on this species in Canada which could compliment work completed in 2008 and will be made available to EPA for information and background information on this species.
 14. ERA = Ecological Risk Assessment
SAP = Sampling & Analysis Plan

BERA = Baseline Ecological Risk Assessment

Should you have any questions or require any additional information, please do not hesitate to contact me at 509-892-2585.